



US EPA RECORDS CENTER REGION 5



466580

January 23, 1980

Mr. James Freeman
Chemical Recovery Systems, Inc.
142 Locust Street
Elyria, Ohio 44035

Dear Mr. Freeman:

It has been brought to my attention by members of my investigative staff that Chemical Recovery Systems, Inc., has and continues to operate its facility, located in Elyria, Ohio, in violation of Ohio air and water pollution laws and regulations; specifically Ohio Administrative Code sections 3745-31-02, 3745-35-02 and sections 3704.05 (A) and (G), 6111.04 and 6111.07, Ohio Revised Code.

Investigation has shown the distillation process present at the facility is a source, as defined by O.A.C. section 3745-31-01 (D) and 3745-35-01 (B)(1) which requires the application and granting of permits from Ohio EPA. In order to receive a permit, the applicant must show that the process can comply with Ohio air pollution laws and regulations. Therefore, until such time as permit applications are submitted by Chemical Recovery Systems, Inc., and are approved by Ohio EPA, it is unlawful to operate the distillation process.

Investigation has also shown violations pertaining to surface water contamination of Black River and groundwater contamination. The sources of this contamination are spillage and leaching of chemicals traceable to Chemical Recovery Systems, Inc. The measures taken by the company are insufficient to prevent and/or remedy these problems.

You are hereby instructed to take the following steps immediately upon receipt of this letter:

1. The company shall cease all operations which contribute to chemical spillage and subsequent groundwater and surface water contamination.
2. The company shall develop and submit to the office of Emergency Response, Ohio EPA, within seven days after receipt of this letter, a detailed plan which specifies the control measures, housekeeping practices and operating procedures that will be employed to prevent

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any chemical spillage from leaving the confines of the facility. This plan shall include installation of a curbed concrete pad with an impervious sump under the drum crusher. Such plan shall be implemented by the company immediately upon approval of the plan by Ohio EPA.

3. The company shall, within 15 days after receipt of this letter, submit applications for all necessary air permits to the Northeast District Office, Ohio EPA.

My legal staff has been instructed to closely monitor this situation and will be prepared to follow up this letter with whatever legal action is appropriate to ensure that its terms are met. You should also be aware that Ohio law provides criminal sanctions for violation of Ohio pollution laws and regulations.

Please direct any response or inquiry concerning water contamination to Ken Harsh at 614-466-6542 and air permits to Peggy Vince at 614-466-7390.

Sincerely,



James F. McAvoy
Director

JFM/vjw
47003.0

cc: Joseph Connolly, Senior Deputy Director, OEPA
Peggy Vince, Steve White, OAPC, OEPA
Ken Schultz, Ken Harsh, ER, OEPA
Sidney Stern, Legal, OEPA
Don Day, OLPC, OEPA
James Ridde11, NEDO, OEPA

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